THE HON'BLE SRI JUSTICE N.V. RAMANA

Writ Petition No. 20442 of 2006

Dated: 28.09.2006

Between:

Smt. S. Prameela Devi, w/o late I.V.P. Rao, Ex.Driver of Tiruvuru Depot, Door No.12-433, Station Thota, Nuzeeveedu Post and Mandal, Krishna District.

.... PETITIONER

AND

A.P.S.R.T.C., rep. by its Regional Manager, Krishna Region at Vijayawada and another.

.....RESPONDENTS

THE HON'BLE SRI JUSTICE N.V. RAMANA

Writ Petition No. 20442 of 2006

Order:

The petitioner's husband, namely I.V.P. Rao died in harness on 03.12.2005, while working as Driver in the respondents-Corporation. Thereafter, she submitted an application to the respondents-Corporation seeking appointment on compassionate grounds. But, the respondents-Corporation, by order dated 20.06.2006, rejected her application on the ground that there is some circular from the Vice Chairman and Managing Director, APSRTC, Hyderabad, not to receive any applications from the dependants of the deceased employees for appointment to any post under 'Bread Winner Scheme'. Aggrieved by the said action of the respondents-Corporation in not even receiving her application to consider her case for compassionate appointment, the petitioner filed the present writ petition.

Heard the learned counsel for the petitioner and the learned Standing Counsel for the respondents-Corporation.

The main contention of the learned counsel for the petitioner is that the scheme to provide employment to the dependants of the deceased employees on compassionate grounds is in existence, and when the scheme is in existence, the action of the respondents in not even receiving the application of the petitioner is illegal. It is not the case of the respondents that the scheme to provide compassionate appointments to the dependants of the deceased employees is not in existence or that the said scheme is withdrawn. When the scheme to provide compassionate appointments to the dependants of the deceased employees is in existence, the respondents cannot refuse to receive the applications on the ground that there is a ban on

compassionate appointments. So long as the scheme is in existence, the respondents are under obligation and duty bound to receive the applications, process the same and to pass appropriate orders. In the circumstances, I deem it appropriate to dispose of the writ petition with the following direction.

The respondents are directed to receive the application of the petitioner for compassionate appointment, consider the same and pass appropriate orders thereon in accordance with law, expeditiously.

Accordingly, the writ petition is disposed of. No costs.

_____

N.V. RAMANA, J.

Date: 28.09.2006
Nsr/lsl